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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/24/2003

Gi Young Jang

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EXAMINER

HANSEN, JAMES ORVILLE

ART UNIT

PAPER NUMBER

3637

MAIL DATE

DELIVERY MODE

05/20/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/691,614	Applicant(s) JANG, GI YOUNG	
	Examiner James O. Hansen	Art Unit 3637	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 March 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20,22,24-31 and 34-37 is/are pending in the application.
- 4a) Of the above claim(s) 22,24 and 37 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 20,25-31 and 34-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on March 5, 2008 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 20, 25-28, 34 & 35 are rejected under 35 U.S.C. 102(b) as being anticipated by Ma [U.S. Patent 5,570,267]. Ma (figure 3) teaches applicant's inventive claimed method for fixing a display panel in a monitor as disclosed in the attached Exhibit B. As to the claimed insertion direction of the fastener, the position is taken that the forward or rearward direction may vary depending upon the viewed orientation of a perspective observer. Concerning the "strength" limitation, the position is put forth that enhancing the strength of one element with regards to an adjacent element would have been obvious since enhancing a product was made part of the ordinary capabilities of one skilled in the art based upon the teaching of such improvement in other situations. One of ordinary skill in the art would have been

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capable of applying this known method of enhancement [added strength] to an element in the prior art and the results would have been predictable to one of ordinary skill in the art.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 20 & 25-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Prior Art Admission {APAA} – fig. 1, in view of Ohgami et al., [U.S. Patent 5,905,550]. APAA (fig. 1) teaches applicant's inventive claimed method for fixing a display panel in a monitor as disclosed in the attached Exhibit A; but APAA does not show 1) aligning the fixing frame to the back cover or 2) show at least one hook and at least one corresponding hook receiving portion utilized so as to couple the back cover to the front cover. As to the fixing frame being aligned and coupled to the back cover {APAA shows the fixing frame being aligned and coupled to the front cover and then assembling the back cover to the front cover assembly}, note the following: the position is taken that it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the assembly of APAA's monitor depending upon the preferences of the designer since it has been held that a mere reversal of the essential working parts of a device involves only routine skill in the art and therefore will not distinguish the invention from the prior art in terms of patentability. *In re Gazda*, 219 F.2d 449, 104 USPQ 400 (CCPA 1955) (Prior art

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disclosed a clock fixed to the stationary steering wheel column of an automobile while the gear for winding the clock moves with the steering wheel; mere reversal of such movement, so the clock moves with wheel, was held to be an obvious expedient.). As to the incorporation of the hook and hook receiving portion, note the following:

Ohgami (figures 1-14) teaches the use of a hook (25) on a front cover (21) and the use of a hook receiving portion (26) on a back cover (20) for the purpose of securing the covers together. As such, the position is taken that it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the coupling of APAA monitor cover parts so as to incorporate a hook arrangement as opposed to the fasteners in view of Ohgami's because this coupling arrangement would provide for the secure coupling of the front cover to the back cover without the use of separate fasteners while allowing the covers to be uncoupled without the aid of a tool thereby reducing the number of parts/equipment needed to secure/unsecure the covers with respect to each other [see col. 3 of Ohgami]. Concerning the "strength" limitation, the position is put forth that enhancing the strength of one element with regards to an adjacent element would have been obvious since enhancing a product was made part of the ordinary capabilities of one skilled in the art based upon the teaching of such improvement in other situations. One of ordinary skill in the art would have been capable of applying this known method of enhancement [added strength] to an element in the prior art and the results would have been predictable to one of ordinary skill in the art. As to claims 29-31, APAA utilizes two distinct fasteners for coupling the display unit and frame to the front cover along with bosses having reinforcing ribs for accepting the fasteners, however, the position is taken that it would have been obvious to one having ordinary skill in the art at the time the

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invention was made to combine the fixing tabs of the frame and the panel into one axially aligned tab arrangement for the purpose of utilizing one fastener and mating boss to join the combined frame and panel to the front cover. Such a modification would reduce the number of fasteners needed to secure the display unit to either of the covers thereby reducing the costs associated with the production of the device. Accordingly, the position is taken that all of the claimed elements were known in the prior art and that one skilled in the art could have combined the elements or steps as claimed by known methods with no change in their respective functions, and the combination would have yielded nothing more than predictable results to one of ordinary skill in the art at the time of the invention. The examiner recognizes APAA's shortcomings in that the display unit is secured to the front cover and then the back cover is secured to the front cover. This procedure in itself does not obviate the point that one of ordinary skill in the art would deem the fastening of the display unit to the back cover and then the fastening of the front cover to the back cover an obvious reversal of an assembly procedure wherein the steps performed to produce a product are varied depending upon design preferences but either procedure produces the same product. The claimed "inventive feature" concerns a slight constructional change in the prior art device that is deemed to come within the scope of the customary practice followed by persons skilled in the art, especially as the advantages thus achieved can readily be foreseen. As such, the "inventive feature" lacks an inventive step and therefore does not constitute patentable subject matter. Furthermore, a person of ordinary skill has good reason to pursue the known options within his or her technical grasp. If this leads to the anticipated success, it is likely the product not of innovation but of ordinary skill and common sense. Where a claimed improvement on a device or

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apparatus is no more than "the simple substitution of one known element for another or the mere application of a known technique to a piece of prior art ready for improvement," the claim is unpatentable under 35 U.S.C. 103(a). *Ex Parte Smith*, 83 USPQ.2d 1509, 1518-19 (BPAI, 2007) (citing *KSR v. Teleflex*, 127 S.Ct. 1727, 1740, 82 USPQ2d 1385, 1396 (2007)). Accordingly, Applicant claims a combination that only unites old elements with no change in the respective functions of those old elements, and the combination of those elements yields predictable results; absent evidence that the modifications necessary to effect the combination of elements is uniquely challenging or difficult for one of ordinary skill in the art, the claim is unpatentable as obvious under 35 U.S.C. 103(a). *Ex Parte Smith*, 83 USPQ.2d at 1518-19 (BPAI, 2007) (citing *KSR*, 127 S.Ct. at 1740, 82 USPQ2d at 1396).

Accordingly, since the applicant[s] have submitted no persuasive evidence that the combination of the above elements is uniquely challenging or difficult for one of ordinary skill in the art, the claim is unpatentable as obvious under 35 U.S.C. 103(a) because it is no more than the predictable use of prior art elements according to their established functions resulting in the simple substitution of one known element for another or the mere application of a known technique to a piece of prior art ready for improvement.

6. Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ma. Ma (figure 3) teaches applicant's inventive claimed method for fixing a display panel in a monitor as disclosed above; but Ma does not show the plurality of hooks as being on more than on side edge of the front cover. As to the plurality of hooks and their location with respect to the front cover, the position is taken that it would have been obvious to one having ordinary skill in the art at the time the invention was made to

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incorporate additional hooks and vary their placement along the front cover depending upon the preferences of the designer since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8.; furthermore, the courts have held that mere duplication of parts has no patentable significance unless a new and unexpected result is produced. *In re Harza*, 274 F.2d 669, 124 USPQ 378 (CCPA 1960).

Response to Arguments

7. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection. The position is taken that all of applicant's limitations and remarks concerning the amended claims have been adequately addressed within the body of the rejections.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James O. Hansen whose telephone number is 571-272-6866. The examiner can normally be reached on Monday-Friday between 8-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on 571-272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/James O. Hansen/
Primary Examiner, Art Unit 3637

JOH
May 9, 2008